

1

2

3

4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA  
6 SAN JOSE DIVISION

7 SCOTT JOHNSON,

8 Plaintiff,

9 v.

10 JOHN J BERTOLOTTI, et al.,

11 Defendants.

12 Case No. [5:20-cv-08778-EJD](#)

13 **ORDER TO SHOW CAUSE WHY  
14 ACTION SHOULD NOT BE DISMISSED**

15 Plaintiff Scott Johnson filed the present action on December 11, 2020. Dkt. No. 1.  
16 Defendant answered on January 19, 2021, and there has been no activity in the case since.

17 The Court possesses the inherent power to dismiss an action *sua sponte* “to achieve the  
18 orderly and expeditious disposition of cases.” *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629–33  
19 (1962). Plaintiff is directed to file a written response to this order by **July 2, 2021** and to appear  
20 before the Court on **July 15, 2021, at 10:00 a.m.** and show cause why this action should not be  
21 dismissed with prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure  
22 41(b). If Plaintiff fails to file a written response by **July 2, 2021**, the Court will dismiss the action  
23 with prejudice pursuant to Federal Rule of Civil Procedure 41(b).

24 **IT IS SO ORDERED.**

25 Dated: May 25, 2021

26  
27  
28   
EDWARD J. DAVILA  
United States District Judge

Case No.: [5:20-cv-08778-EJD](#)  
ORDER TO SHOW CAUSE WHY ACTION SHOULD NOT BE DISMISSED